

No. 18436-4Lab-77/31499.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Arun Textiles, N.I.T., Faridabad:—

BEFORE THE ARBITRATOR SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Arbitration Reference No. 8 of 1977

between

THE WORKMAN AND THE MANAGEMENT OF M/S ARUN TEXTILES, N. I. T., FARIDABAD

ARBITRATION AWARD

The Governor of Haryana was pleased to publish the arbitration agreement, copy attached as annexure 'A' to this award, in pursuance of the powers vesting in him under sub-section 3 of section 10(a) of the Industrial Disputes Act.

A copy of the agreement having been received by the undersigned, appointed by the parties as an Arbitrator, from the Joint Secretary to Government, Haryana, Labour Department,—*vide* his endorsement No. ID/FD/43920-24, dated 4th October, 1977, notices of the reference were issued to the parties who put in their appearance and filed a settlement copy attached as annexure 'B' with this award. Shri R. C. Sharma, authorised representative for the management and Shri Mohamad Mostaffa, General Secretary, Textile Mazdoor Sangh authorised representative for the workmen made their statements before me on 15th November, 1977, affirming and admitting the correctness of the settlement Ex. MW-1, copy attached as annexure 'B' with this award.

The dispute as referred to me,—*vide* agreement copy attached as annexure 'A' thus stands resolved,—*vide* a settlement Ex. MW-1 copy attached as annexure 'B'. I, thus answer the reference while returning the award in terms of the settlement Ex. MW-1, arrived at between the parties and duly confirmed and admitted by them before me.

The 22nd November, 1977.

MOHAN LAL JAIN,
Arbitrator,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2586, dated 24th November, 1977.

Forwarded (four copies) to Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Arbitrator,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

ANNEXURE A

FORM C

See Rule 7

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

Name of the parties ;

Representing the employers

.. Shri U. M. Jain, Vice-President, Faridabad
Powerloom Owners Association,
Faridabad.

Representing the workmen

.. Shri R. S. Gupta, Manager.
Shri Darshan Singh.
Shri Mohamad Mostaffa.
Shri Rajinder Podar.
Shri Chhaju Ram.
Shri Dinesh Kumar Singh.
Shri Krishan Gopal of Textile Mazdoor
Sangh, Faridabad.

It is hereby agreed between the parties to refer the following industrial dispute to the sole arbitration of Shri Mohan Lal, Presiding Officer, Labour Court, Rohtak.

- | | | |
|--|----|--|
| I. Specific matters in dispute : | .. | Demand containing in demand notice received on 11th July, 1977 served by Textile Mazdoor Sangh (Regd.), Faridabad (copy enclosed) taking into consideration the agreement dated 30th May, 1977 made between the Textile Mazdoor Union (Regd.), Faridabad and the management. |
| II. | .. | The Arbitrator shall also decide whether the interim relief of Rs. Fifteen given to the workers should be continued with retrospective effect in the light of the decision of para I of the reference. |
| III. Details of the parties to the dispute including the name and address of the establishment of undertaking involved ; | .. | M/s. Arun Textiles, N. I. T., Faridabad |
| IV. Name of the Union, representing the workmen in question ; | .. | Textile Mazdoor Sangh (Regd.) affiliated to Bhartiya Mazdoor Sangh. |
| V. Total No. of workmen employed in the undertaking affected. | .. | About 50. |
| VI. Estimated number of workmen affected or likely to be affected in dispute | .. | About 50. |

The arbitrator shall make his award within a period of 2 months from the date of publication of this agreement in the Official Gazette by the appropriate Government or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties:

Representing employers

1. Shri U. M. Jain. (Sd.) . . . ,
2. Shri R. S. Gupta (Sd.) . . . ,

Witness:

1. (Sd.) . . . ,
2. (Sd.) . . . ,

Representing workmen

1. Shri Darshan Singh (Sd.) . . . ,
2. Shri Mohamad Mostaffa (Sd.) . . . ,
3. Shri Rajinder Podar (Sd.) . . . ,
4. Shri Chhaju Ram (Sd.) . . . ,
5. Shri Dinesh Kumar Singh (Sd.) . . . ,
6. Shri Krishan Gopal. (Sd.)

ANNEXURE B

Settlement under section 18(1) of Industrial Dispute Act, 1947.

Representing the parties

.. M/s Arun Textiles, Faridabad. N. I. T., and its workmen.

Representing the Employer

1. Shri U. M. Jain, Vice-President, Faridabad Powerloom Owners Association, Faridabad.
2. Shri R. S. Gupta, Manager.

Representing the employees

1. Shri Budhi Singh of B. M. S.
2. Shri Prem Saroop of B. M. S.
3. Shri Darshan Singh, President.
4. Shri Mohamad Mustaffa, General Secretary.
5. Shri Rajindra Poddar, Vice-President.
6. Shri Ram Kishore, Vice-President.
7. Shri Shiv Kumar.

8. Shri Bhagwan Psd. Tiwari.
9. Shri Kanhiyalal.
10. Shri Dubri Yadav.
11. Shri Dinesh Singh.
12. Shri Chajju Ram.
13. Shri Bhola Nath.

Whereas Demand Notice dated nil was served on the Management on dated 11th July, 1977 and thereafter a settlement under section 12(3) was arrived at thereby an interim relief was given and the demand notice was referred to the Arbitration. The Arbitrator Shri M. L. Jain, registered the dispute and issued notices for the appearance of the parties.

And wherezs the management and workers representatives held mutual negotiations and settled the disputes of Demand Notice amicably.

And now both the Parties do hereby agree to sign a written agreement on the following terms and conditions :—

1. It is agreed between the parties that the present D. A. of Rs. 168.14 at Faridabad Price Index No. 218, be increased to Rs. 183.14 with effect from 1st September, 1977. If the Price Index Number increases from 218 to 223 no further increase in D. A. shall be allowed. If Faridabad Price Index Number increases beyond 223, it shall be adjusted @ Rs. 1 per point with annual correction. In no situation the D. A. shall be lower than Rs. 183.14.
2. The interim relief of Rs. 15 granted,—vide agreement dated 11th August, 1977 is to be merged with basic wages with effect from 1st November, 1977. This relief granted with effect from 1st August, 1977 to 31st October, 1977 will not be recovered by the management.
3. The temporary and casual workers shall be given total minimum wages of Rs. 227; Rs. 44.00 as basic and Rs. 183.14 as D. A. The D. A. of temporary and casual workers shall be adjusted annually as per para 1 above.
4. The workmen agree that their dispute relative to all the demands in Demand Notice recieved by the Management on 11th July, 1977 and now pending for arbitration stands fully settled and satisfied and there remains no dispute whatsoever, on these demands.
5. In consideration of the above, the workmen agree that they will maintain industrial peace and harmony and will not raise any demand or dispute involving any financial burden on the company in any form during the binding period of the agreement except demand for annual bonus. This agreement is binding upto 30th September, 1978.

It is agreed between the parties that they hereby make a request to the Arbitrator Shri M. L. Jain, to give his award in terms of the above terms and conditions of the agreement.

The 1st November, 1977.

Signature of the Management

1. (Sd.) (In English)
2. (Sd.) (In English)

Witness

1. (Sd.) (In English)
2. (Sd.) (In English)

Signature of the Workmen

1. (Sd.) (In English)
2. (Sd.) (In Hindi)
3. (Sd.) (In Urdu)
4. (Sd.) (In English)
5. (Sd.) (In English)
6. (Sd.) (In English)
7. (Sd.) (In Hindi)
8. (Sd.) (In Hindi)
9. (Sd.) (In Hindi)
10. (Sd.) (In English)
11. (Sd.) (In English)
12. (Sd.) (In English)
13. (Sd.) (In Hindi)